



INFORMATION REPORT ON

State Legislation

OFFICE OF STATE PROGRAMS
U. S. NUCLEAR REGULATORY COMMISSION

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Except for a few stragglers, these will probably be the last of the bills (not including carry-overs) that will be reported for the 1982 legislative session. Prefiled 1983 bills should start arriving in September, and will be published beginning with the next issue.

The last in a series of three symposia on low-level radioactive waste disposal focusing on the proposed NRC rule 10 CFR Part 61 will be held September 29 and 30, 1982, at the Holiday Inn-Capitol in Washington, D.C. The symposia will be sponsored by NRC and Oak Ridge National Laboratory. Discussions will center on methods of site design, construction and operations to keep the potential of radiation exposure as low as reasonably achievable and procedures that increase long-term site stability.

The Coalition of Northeastern Governors (CONEG) will hold a meeting on September 30 and October 1, 1982, at the Hilton in Albany, N.Y. to discuss the development of the Northeast Interstate Low-Level Radioactive Waste Compact. Tentative agenda items will include review of NRC comments, waste volume projections, public input, and general discussion aiming for final amendments to the draft compact.

The Conference of Radiation Control Program Directors (CRCPD) has been issued a grant by DOE for the collection of data on the State-by-State generation of low-level waste. NRC has been asked to cooperate on this project by providing information on licensed generators in non-agreement States, and will be represented at an initial meeting concerning the grant in Louisville, Kentucky on September 20-23, 1982.

U.S. Senator Gorton (R-WA) introduced S.2829, a bill granting the consent of Congress to the Northwest Interstate Compact on Low-Level Radioactive Waste Management. It was referred to the Committee on the Judiciary. The bill, as introduced, changes the effective date of the Compact from July 1, 1983 to January 1, 1986, thereby making the effective date compatible with the Low-Level Waste Policy Act.

A handwritten signature in dark ink that reads "G. Wayne Kerr".

G. Wayne Kerr, Director
Office of State Programs

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Low-Level Waste Compacts

Kansas H-2810

Energy Offices

Kansas H-3156

Kentucky S-174

Environmental Controls

Hawaii HR-247

Louisiana H-982

High-Level Waste

Louisiana H-1330

Radioactive Waste Disposal
and Financial Management

California SJR-27

Louisiana H-1337

Maryland S-31

Michigan H-5866

New Hampshire H-26

Initiatives

Washington-383

Public Utilities

Maryland S-329

Ohio S-378

Radiation

Maryland H-432

Pennsylvania H-2612

Insurance

New York S-10119

Power Plants

Idaho HJM-19

General

Illinois S-1419

ENACTED LEGISLATION

ILLINOIS

Appropriations S-1419. Makes appropriations for the expenses of the Department of Nuclear Safety for the fiscal year beginning July 1, 1982. (Enacted 7/22/82.)

KANSAS

Central Interstate Low-Level Waste Commission H-2810. Establishes the advisory board on low-level radioactive waste. The board will consult with and advise the State's representative to the Compact Commission concerning technical and policy matters. Designates the Secretary of the Department of Health and Environment to be the member of the Central Interstate Low-Level Radioactive Waste Commission representing the State. Prohibits approval of any application for a radioactive waste disposal facility license unless the State has entered into an interstate compact which regulates management of low-level waste. (Enacted 4/7/82.)

Energy Advisory Council H-3156. Establishes the Energy Advisory Council within the Kansas energy office empowered to approve any amendments to the State Energy Conservation Plan which are required by DOE or other federal agencies for participation in the State Energy Conservation Program. Details membership requirements and administrative procedures. (Enacted 5/7/82.)

KENTUCKY

Department of Energy Reorganization S-174. Establishes three bureaus within the Department of Energy: The Bureau of Energy Research and Development, the Bureau of Energy Production and Utilization and the Bureau of Energy Conservation and Distribution. Their duties respectively, are:

- 1) Conducting and coordinating energy research and development activities concerning coal, fossil fuels, organic fuels, and other renewable energy resources;
- 2) Insuring the increased production of fossil fuels and expanded use of domestic energy sources;
- 3) Conducting research on the impact of current and future energy supply and demand, performing research on transportation and other areas of fossil fuel production, conducting energy audits of educational facilities and implementing State energy conservation plans. (Enacted 4/1/82.)

LOUISIANA

Environmental Protection H-982. Allows the Office of Environmental Affairs to conduct inspections and investigations of facilities which use or control radioactive waste. Inspections may be made at least once per year. Describes enforcement procedures and penalties for violations. (Enacted 7/22/82.)

Salt Dome Disposal H-1330. Prohibits tests to determine the suitability of geologic structures for disposal of radioactive waste without written approval. This excludes tests made by DOE pursuant to the February 27, 1978 agreement with the State. The agreement allows testing in the Vacherie and Rayburn salt domes, provided that no repository will be constructed if the State objects. (Enacted 8/4/82.)

MARYLAND

Low-Level Waste Disposal S-31. Changes the offense for the illegal disposal of hazardous substances or low-level nuclear waste from a misdemeanor to a felony. Raises the fine upon conviction from \$25,000 to \$100,000 and changes the imprisonment term from three to five years. (Enacted 6/1/82.)

Surcharges S-329. Alters the maximum surcharge that may be imposed per kilowatt hour of energy generated in the State. The full amount of the surcharge may be added to customers' bills. Revenues will be placed in the Environmental Trust Fund. (Enacted 5/20/82; effective July 1, 1982.)

Radiation Title Violations H-432. Alters criminal penalties and civil penalties for violations of the radiation title, and rules promulgated under the title. Civil penalties will not exceed \$5,000, and criminal penalties (misdemeanors) are punishable by a fine of \$10,000 or imprisonment for one year. (Enacted 6/1/82.)

NEW HAMPSHIRE

Task Force on Waste Management H-26. Establishes a new task force on radioactive waste management. The task force is designated as the permanent point of contact in the State for all matters relating to radioactive waste management. The task force will study different methods for the disposal of low-level radioactive waste generated within the State. Before December 1, 1982, the task force will submit a State plan and a report as to how the State should manage its low-level radioactive waste, including a proposed siting process for low-level waste facilities. (Enacted 4/30/82.)

NEW YORK

Liability Insurance S-10119. Omits the clause in the insurance laws, under "personal injury liability insurance," that says all policies except those covering certain nuclear facilities and those purchased to fulfill financial requirements expressly exclude liability arising out of contamination caused by discharge of pollutants and irritants unless the discharge is sudden and accidental. (Enacted 7/27/82.)

OHIO

Public Utilities Commission S-378. Prohibits a former commissioner of the Public Utilities Commission from representing a public utility before any State agency for 24 months after the conclusion of his service. Requires utility owners to submit a long-term forecast report of energy demands, peak load, reserves and information on projected or terminated facilities. Describe public hearing requirements. (Enacted 6/1/82.)

INTRODUCED LEGISLATION

LOUISIANA

Waste Disposal H-1337. Prohibits individuals from storing or disposing of any source of radiation and provides criteria for assessing penalties. (Died as of adjournment 7/12/82.)

MICHIGAN

Radioactive Waste Disposal H-5866. Prohibits the acquisition by the United States government of any Michigan land for the purpose of storing or dumping radioactive material. (Introduced 6/17/82.)

PENNSYLVANIA

Radiation Protection H-2612. Establishes a radiation protection program in the Department of Environmental Resources. Also, authorizes the Governor to enter into agreements with federal agencies for the State to assume licensure, regulation and control of radiation sources and users of radiation sources. Maintains an emergency response capability within the Department which would respond to accidents at nuclear power plants. (Introduced 8/5/82.)

INTRODUCED RESOLUTIONS

CALIFORNIA

Radioactive Waste Disposal SJR-27. Requests Congress and the President to ban all radioactive waste disposal on offshore California. The measure would propose an international treaty to prohibit disposal of radioactive waste in the Pacific. The newest amendment requests the Pacific States and the U.S. Pacific Territories to join the State in opposing all radioactive waste disposal in the Pacific, and invites them to attend meetings in Monterey, California on November 15-17, 1982, to plan common strategy for this opposition. (Adopted 8/16/82.)

ADOPTED RESOLUTIONS

HAWAII

Radiological Monitoring HR-247. Requests the Department of Health to continue its efforts in the monitoring of radiological pollutants in the environment. The monitoring should at least evaluate the environmental effects of gamma radiation and should be conducted no less than semi-annually. (Adopted 4/23/82.)


IDAHO

Standardizing Nuclear Reactors HJM-19. Urges DOE and NRC to initiate a program at the Idaho Engineering Laboratory to cut costs and standardize designs, and to design and standardize a low-cost nuclear reactor plant in the 500 MW range. (Adopted 3/24/82.)

INITIATIVES

WASHINGTON

Radioactive Waste Prohibition - 383. Prohibits transportation of non-medical radioactive waste into the State after July 1, 1981 for the purpose of temporary, interim, or permanent storage. Allows for the regional storage of radioactive waste through an interstate compact. Provides penalties. (Approved by voters 11/4/80; Federal injunction halted implementation of ban - State appealed 7/1/81; 9th Circuit Court of Appeals overturned ban, ruling that it violates the supremacy and commerce clauses of the U.S. Constitution 8/17/82.)



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